

COMMISSIONERS APPROVAL

ROKOSCH *JK*

GRANDSTAFF *CG*

THOMPSON *AT*

CHILCOTT *gc*

DRISCOLL *vd*

PLETTENBERG (Clerk & Recorder)

Date.....December 20, 2007

Members Present..... Commissioner Jim Rokosch,  
Commissioner Alan Thompson, Commissioner Greg Chilcott and Commissioner  
Kathleen Driscoll

Minutes: Glenda Wiles

► The Board met with Sheriff Chris Hoffman and Special Project Coordinator Marty Birkeneder in regard to a Standard Agreement with the State Highway Safety Bureau which funds overtime wages and benefits for patrol offices in their enforcement of seat belt and DUI offenses. Also present was Civil Counsel Alex Beal and Lt. Joe Birkeneder. Marty reported last year the County received \$17,000, however this year the county has only been offered \$4,000. Marty stated she has been having some dialog with the State with a promise from them that the County will receive more monies in order to meet the requirements of the grant. Discussion included the requirements of the State to cover overtime shifts they do not have the ability to fund. Marty stated if the County does not receive more funds, they will not be required to work more shifts than the allotted money allows.

Marty suggested the Commissioners note a margin entry reading on this agreement noting the enforcement is predicated on the amount of funding. Alex stated he can not imagine the Department of Transportation suing the County for 'not doing enough' on the required enforcement. This is a unilateral terminable contract, so he is not too concerned with this low amount of money named in the contract. Alex agreed changing the amount from \$4,000 to \$15,000 within the contract and initialing it would be a wise thing to do prior to sending the contract back to the State. If the funding does not come through, the county will not be required to meet the enforcement plan. Commissioner Chilcott stated he is not comfortable signing an unfunded mandate. Sheriff Hoffman indicated the State can say no to the change in the amount of monies, and in that case the contract is a moot point.

It was agreed a margin insertion on page three will be made to show \$15,000 rather than \$4,000 with a note that the cover letter be included in the contract expressing the concern of the monies from last year to this year and the fact that enforcement activities are predicated upon the amount of funding. Alex and Marty will work together on these changes.

**Commissioner Chilcott made a motion to have the Chairman sign this agreement today with the margin notation and letter of attachment for the amount being changed from \$4,000 to \$15,000 as discussed today. Commissioner Driscoll seconded the motion and all voted "aye".**

► In other business the Board met with Detention Lt. Cathy Powell and Sheriff Chris Hoffman in regard to the extension of the food service contract with CBM food service. CBM is requesting a yearly increase based upon the CPI at 3.5%. Discussion included the inmates being pleased with the food that is prepared for them which in turn makes better relationships between jail personnel and inmates, with the ultimate benefit being officer and inmate safety. Cathy stated this increase fits within her budget.

**Commissioner Chilcott made a motion to execute this increase in the CBM contract for detention food services. Commissioner Driscoll seconded the motion and all voted "aye".**

Minutes: Beth Perkins

► The Board met to discuss and possibly adopt the CPC ground rules for countywide zoning. Present was Planner Shaun Morrell.

Commissioner Chilcott expressed his concern with a minor majority vote. Commissioner Rokosch stated it is important to balance the time frame and have consensus throughout with the CPCs.

Board concurrence was met for the super majority vote on page 3 of the ground rules. Commissioner Chilcott stated he wants to see baseline zoning for this county therefore there should be vote sheets for each issue. Shaun stated the vote sheet could include the actual vote count.

Commissioner Rokosch stated legal counsel should review the ground rules in the case of a legal argument. Commissioner Chilcott suggested changing "ground rules" to "guidelines". Commissioner Driscoll stated she like this process for the public. Shaun stated they are now looking at reducing the content down to 12 pages. Commissioner Rokosch stated it does need to be put in place as soon as possible.

Civil Counsel Alex Beal stated these should not be set meeting rules but rather a set of guidelines to be followed. He stated he will need to review the draft more closely before making any suggestions. He stated these are not rules of order. Shaun discussed page 3 of the draft. Alex replied it is like a form of operation that popped itself up during the Streamside Setback issue. Board discussion followed regarding consensus of the CPCs.

Shaun presented two comments on the grounds rules from Carl Fox and Keith Kubista to the Board. Glenda Wiles presented a comment from Dave Schultz on the ground rules.

Commissioner Chilcott stated it should be noted that CPC's are an advisory committee to the County Commissioners. Alex stated he does not believe there are any legal concerns with the draft ground rules. Shaun stated he will strike the word "authority" in the section of purpose. Commissioner Chilcott stated it is about form for this process. He stated he is unclear of where it defines the roles and responsibilities being a part of the ground rules. Shaun replied he could reduce it down to a paragraph not a section. Commissioner Chilcott suggested moving the roles and responsibilities with the definition of the CPC and keeping it directed toward the CPCs. The Board concurred with Commissioner Chilcott.

Commissioner Rokosch pointed out his concerns and made some grammatical corrections on the ground rules. Commissioner Chilcott stated Shaun should format them to keep the CPC's related purpose and definitions together in the front section to simplify it.

Commissioner Thompson stated he is amazed that anything gets accomplished in giving citizens ground rules. It seems to be excessive. Commissioner Driscoll stated there are some citizens that have no idea what is going on with zoning. They need something for a reference for understanding.

**Commissioner Chilcott made a motion to adopt the guidelines for the CPC groups as amended here today. Commissioner Driscoll seconded the motion, all voted 'aye'.**

► The Board met for litigation strategy for Powell vs. Ravalli County. Present were Civil Counsel Alex Beal and Deputy County Attorney Karen Mahar. Commissioner Rokosch invoked the closed door privilege.

► In other business, the Board met with Dwayne Kailey and Ray Harbin of MDOT to discuss outdoor advertising north and south of Stevensville.

Dwayne gave an overview of the sign issue. He stated there are some billboard signs that are in the right of way MDOT is purchasing at the Stevensville Wye. He stated they would like permission to move them. Commissioner Rokosch asked if it was the same owner. Dwayne replied yes.

Ray presented a map showing the location of the signs. Ray explained they are not adding signs but moving them out of the right of way.

**Commissioner Thompson made a motion to allow MDOT within the scope of the sign ordinance existing in Ravalli County, and consistent with the Right of Way agreement with MDOT, to move two signs (1-87-S and 1-41-S as identified by MDOT). Commissioner Driscoll seconded the motion, all voted 'aye'.**

**Commissioner Rokosch made a motion to adopt the highway amenities agreement north and south for Stevensville Wye. Commissioner Driscoll seconded the motion, all voted 'aye'.**